

CHAPTER 11: TOOLS FOR MANAGING DEVELOPMENT

LAND USE AND DEVELOPMENT RELATED GOALS OF THE TOWN

TOOLS FOR MANAGING DEVELOPMENT

The following section outlines tools for managing development and specifies the role of the land use plan in the process. The implementation and tools for managing development section provides:

- 1) A guide for land use decision-making;
- 2) A description of the existing development program; and
- 3) A conclusion regarding the plan update process and generalized implementation timeline.

GUIDE FOR LAND USE DECISION MAKING

ROLE AND STATUS OF THE PLAN

The Town's Comprehensive Land Use Plan is a guiding tool that establishes the desired direction for land use and development in the community. Although the statements and policies in the Land Use Plan do not have the authority of an ordinance or regulation, they do provide an opportunity to amend such ordinances to reflect future goals. The Town's securing of state or Federal grant/loan funding may also be contingent upon review of consistency with the Town's Land Use Plan, and to whether the Town's policies are adequate to meet state and federal standards regarding funded projects.

This plan establishes goals, policies, and strategies for issues that will affect Sunset Beach for the next twenty years and beyond. Each goal, policy, and strategy is to be applied equally regardless of cultural, economic, or ethnic composition of the area. The goals, policies, and strategies will also assist officials in making long-range decisions in such areas as land use changes, transportation planning, economic development strategies, and intergovernmental coordination.

In addition, any future Town Unified Development Ordinance and/or Zoning map amendments to accommodate development projects must also be evaluated for their consistency with this Land Use Plan. Any Town decisions to amend zoning regulations must be evaluated, even if they do not relate to a land use, dimensional standard, or area that is not under the purview of state or federal permitting.

North Carolina General Statute 160A-383 requires planning board review of zoning amendments and a written statement on the consistency of the proposed amendment with the Land Use Plan, as well as any other relevant plans (such as a small area plan, transportation plan, stormwater master plan, etc.) that have been adopted by the Town's governing board. The statute does include provisions that allow the Town's governing board to proceed and adopt proposed zoning amendments in which the planning board may determine to be inconsistent with adopted plans. This can be accomplished if the Town governing board can provide a statement as to why the action taken is reasonable, necessary, and in the public interest. The Town's governing board is required to adopt such a statement on plan consistency or inconsistency before adopting or rejecting any zoning amendment.

INTENDED USES OF THE PLAN

In addition to the above, the Land Use Plan shall also be used for the following:

- The approval of routine and major developments (including redevelopments) shall be consistent with the policy direction and goals of the Land Use Plan.
- The approval of Special Use Permits shall be in general conformity with the Land Use Plan. When approving a Special Use Permit, Town staff and officials have the authority to require conformity with the contents of this plan. The Future Land Use and Goals, Policies, and Strategies chapters should be used to evaluate the conformity of Special Use Permits with this plan.
- Amendments to development related ordinances (e.g. rezoning petitions), conditional use permit review, as well as creation and approval of new ordinances shall be consistent with the policy direction and goals of the Land Use Plan.
- The approval of capital improvements (e.g. water, sewer, and stormwater systems, etc.), and related projects, shall be consistent with and prioritized based on the policy direction and goals of the Land Use Plan.
- Town Administration/Planning Staff shall consult the Plan and use it as a basis for making recommendations to the planning board and the Town governing board in such actions as development approval and ordinance amendments. If the proposed development or amendment is in conflict with the policy direction or goals of the Land Use Plan, staff shall notify the planning board and the Town governing board of the possible inconsistency.

In addition to the Town Planning Board and Town Council, the Land Use Plan may also be used by:

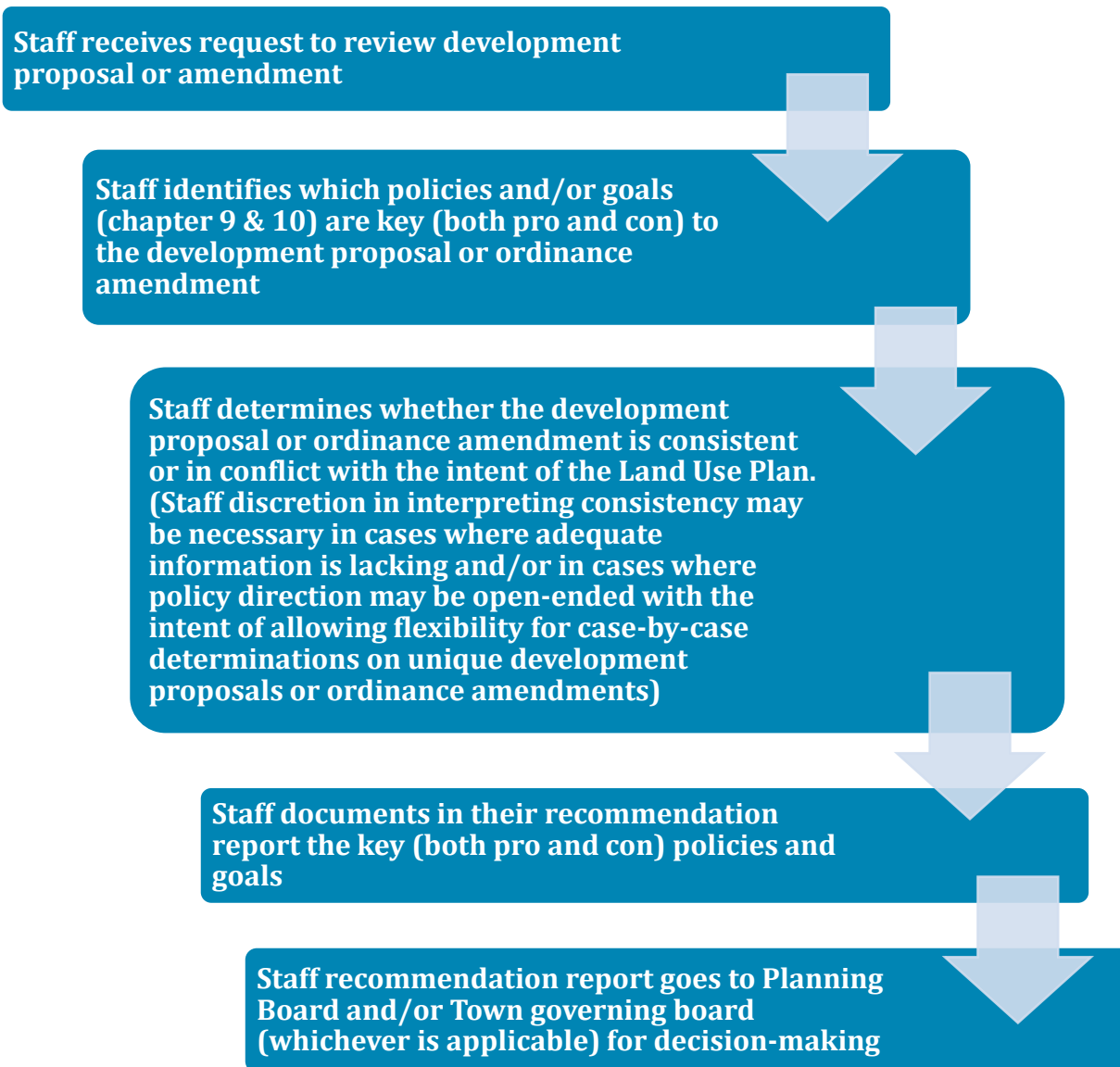
- The Public - The Land Use Plan shall be available to any interested member of the public. The Plan can inform the public of the direction and future of their community

and give them an understanding of public sentiment regarding growth and development in the community. Public knowledge of the goals and policies of the Land Use Plan will also assist the public in forming support or opposition for actions in their community.

- **Landowners and Developers** - The Land Use Plan provides developers and landowners with guidance and expectations on the types of land uses and development that are desired by the community. Knowledge of expectations and possible requirements of development will aid developers and land owners in preparing sound proposals and plans which will be more likely to be approved by Town officials in a more time-efficient manner. The Land Use Plan and its mapping and analysis can also provide landowners and developers with general information that could make them aware of possible capabilities and limitations of their property.
- **Town Staff** - Town staff, beyond the Administration/Planning & Inspections Department, can use the plan as a tool for evaluating project proposals (such as new public access sites or bike paths) and for preparing plans for public facilities and infrastructure (such as stormwater system upgrades). Town Staff could also use the plan and its policies and goals when preparing its budget requests and recommendations, and make reference to the plan when preparing applications for grants and other assistance.
- **Area Jurisdictions** – Local jurisdictions that may be affected, either positively or negatively, by actions of the Town can use the plan to understand and predict the intents and purposes behind such actions. Area jurisdictions may also want to coordinate with the Town on achieving certain common goals, or in implementing similar policies. Such common goals could be the improvement of surface water quality in the local watershed which includes multiple jurisdictions.

FLOW CHART FOR DETERMINING CONSISTENCY

Below is a flow chart for determining consistency of local development and regulatory decisions with the policy direction and goals of the Land Use Plan. Special use permits, ordinance amendments, and zoning map amendments, major subdivisions, and significant development proposals should all be reviewed for consistency with the land use plan.



EXISTING DEVELOPMENT PROGRAM

The Town Code of Ordinances and Unified Development Ordinance contains all the local ordinances and many of the regulations used by the Town to manage growth and development. Some of the primary ordinances, regulations, and plans regarding land use management are listed in Table 11.1 below.

Table 11.1: Existing Development Program

Ordinances/Regulations	Responsible Department
Unified Development Ordinance <ul style="list-style-type: none"> • Land Use and Structural Dimension Standards • Density and Intensity Restrictions • Open Space Requirements • Landscape/Tree Removal Restrictions • Parking Regulations • Subdivision Regulations • Flood Damage Prevention Ordinance 	Planning & Inspections
Building Code (State Building Code) <ul style="list-style-type: none"> • Filling, Grading and Excavating • Relocation/Demolition of Structures 	Planning & Inspections
Water and Sewer Use Ordinance	Administration
Stormwater Regulations <ul style="list-style-type: none"> • Stormwater Management • Illicit Discharge 	Administration/Planning & Inspections *
Nuisance Ordinance	Administration
Adopted Plans	
CAMA Land Use Plan	Planning & Inspections
Hazard Mitigation Plan	Planning & Inspections
Emergency Operations Plan	Administration/Planning & Inspections

* The Town of Sunset Beach has an interlocal agreement with Brunswick County in the administration of the stormwater ordinance.

CONCLUSION

This Comprehensive Land Use Plan contains the adopted goals and policies for the Town of Sunset Beach, which are to be implemented and followed over the next five to ten year planning period and beyond if an update is not conducted within 10 years. The intent of the goals and policies detailed in this plan are to be carried out in good faith by current and future elected officials and Town staff. Any public decisions by Town officials regarding growth and development (e.g. rezonings, land use related ordinance revisions, special use permits, capital improvement projects, public grants, etc.) are to remain consistent with the policies, goals, and objectives in this plan. To allow flexibility if circumstances or community preferences change, the Comprehensive Land Use Plan can be updated or amended.